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## Chapter 18 - ANIMALS <sup>[20]</sup>

ARTICLE I. - IN GENERAL

ARTICLE II. - DOGS, CATS AND FERRETS

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### FOOTNOTE(S):

<sup>(20)</sup> **Editor's note**— G.O. No. 5825, § 1, Exhibit B, adopted June 29, 2009, contains a schedule of fees and charges for various departments of the city. A complete copy of said schedule is adopted by reference and available at the office of the city clerk for inspection by the public. [\(Back\)](#)

<sup>(20)</sup> **Cross reference**— Pets at airport, § 22-77; health and sanitation, ch. 58; animals prohibited in rooms where meat or meat products are handled, stored or sold, § 58-91; interfering with or injuring police dog, § 78-33. [\(Back\)](#)

<sup>(20)</sup> **State Law reference**— Bull breeding and cockfighting prohibited, RSMo 563.660. [\(Back\)](#)

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## ARTICLE I. - IN GENERAL

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### **Sec. 18-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Adequate care* means normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal.

*Adequate food* means the provision at suitable intervals of not more than 12 hours, unless dietary requirements of the species require a longer interval, of a quantity of wholesome foodstuffs, suitable for the species and age, sufficient to maintain a reasonable level of nutrition in each animal, all of which foodstuffs is served in a safe receptacle, dish or container.

*Adequate water* means the continual access to or access at suitable intervals not less than once each eight hours for at least one hour to a supply of clean, fresh, unfrozen, potable water provided in a sanitary manner suitable for the species, condition and age of the animal in sufficient amounts to maintain good health in the animal. Such water shall be provided in a secure manner so that the container cannot be overturned.

*Adequate shelter* means a structurally sound, properly ventilated, sanitary, dry and weatherproof shelter suitable for the species, age and condition of the animal, which is free of litter or hazardous substances and objects, contains clean and dry bedding material and which provides access to shade from direct sunlight and regress from exposure to inclement weather conditions. The shelter shall have at a minimum a floor, walls with an opening suitable for the size of the animal and a roof. Unacceptable shelter includes but is not limited to barrels, pipes, crates, cardboard boxes, pet carriers and tarpaulins.

*Animal* shall include livestock, creatures, fowl, dogs, cats or ferrets except fowl shall not apply to the term "animal" as used in sections 18-121 and 18-122 or when dealing with rabies issues.

*Animal control authority* means the animal control section of the environmental services division of the department of public health and welfare of the city or the director of public health and welfare of the city.

*Animal control officer* means any person employed by the animal control authority to enforce this chapter.

*Approved vaccine* means all vaccines licensed by the United States Department of Agriculture.

*At large* shall mean:

- (1) To be freely roaming on the private property of another without the consent of the owner or person in control of the property or to be freely roaming on any public

property, street or highway without consent of the public entity in control of the property, street or highway.

- (2) Every dog, when on any street, alley, park, school ground or other public place in the city, which is not attached to a leash, the other end of which is securely held by a person, or every dog, when on private property within the city, which is either not attached to a leash the other end of which is securely held by a person and the leash is of sufficient length and the conditions are such that the dog cannot leave the premises, or which is not so confined by a fence or other device so as to prevent its straying from the premises, shall be deemed running at large.

*Compendium* means the most recent version of the Compendium of Animal Rabies Control established by the National Association of State Public Health Veterinarians, Inc., adopted by the director of public health and welfare and filed with the city clerk.

*Creature* means a domesticated animal used as a household pet such as a hamster, gerbil or similar animal.

*Dog* means any member of the canine family.

*Domesticated* means trained or adapted for use in a human environment.

*Euthanize* means to put to death in a humane manner.

*Exposed to rabies* means when bitten by, or fought with, or has come in close contact with an animal showing symptoms of rabies.

*Fowl* means domesticated chickens, guineas, geese, ducks, turkeys or other domesticated bird.

*Harbor* means to feed or shelter an animal at the same location for three or more consecutive days.

*Impound* means to apprehend, catch, trap, net or, if necessary, kill any animal by the animal control authority or its agent.

*Impounding facilities* means any premises designated by the city for the purpose of impounding and caring for all animals found in violation of this chapter.

*Kennel operator* means the owner of four or more dogs at least four months of age, whether owned for pleasure or profit, breeding or exhibiting.

*Livestock* means domestic animals, such as swine, horses, mules, asses, sheep, goats or cattle. When these terms are used herein it shall include any related member of the species whether specifically mentioned or not.

*Owner* means any person owning, keeping or harboring a dog.

*Poultry* means domestic fowl such as chickens, turkeys, guineas, ducks or geese.

*Rabies policy and procedure manual* shall mean the "compendium" unless otherwise stated.

*Registration and vaccination* means the procedure of vaccinating for rabies and issuing an identification number and an appropriate certificate. These words shall be interchangeable.

*Tag* means any object which bears a registration number and the words "registered and vaccinated for rabies," in the shape and color recognized by the National Association of State Public Health Veterinarians which has been issued by a veterinarian.

*Veterinarian* means any veterinarian holding a current state license.

(Code 1981, § 5-1; G.O. No. 5180, § 1, 5-6-2002; G.O. No. 5706, § 1, 8-27-2007)

~~Cross reference—~~ Definitions generally, § 1-2.

### **Sec. 18-2. - Minimum fine for certain violations; termination of property rights in animal.**

Any person who has violated provisions of this chapter more than three times in an 18-month period shall be fined a minimum of \$200.00 for the fourth offense and \$400.00 for the fifth offense and each offense thereafter occurring during an 18-month period. Any person who has been found guilty of more than three offenses during an 18-month period shall be required as a condition of releasing any animal impounded by the city to post a bond with the court equal to the minimum penalty for the offense as established by this section, which bond shall be subject to forfeiture to the city if the person is found guilty of a violation of this chapter. In addition to the fine, such person shall pay for all costs of keeping the animal. All such animals shall be disposed of by the city in accordance with the procedures set forth in section 18-55 if the person charged fails to pay the minimum fine assessed by the court plus the costs of keeping the animal as set forth in this chapter. It is hereby found and declared that any animal involved in a violation of provisions of this chapter which is owned, kept or in the custody or control of a person who has been found guilty of three or more offenses is a public nuisance and that the judgment of the court shall include a finding terminating all property rights in the animal if the judgment is not paid. In addition to the minimum fine set forth in this section, the court may, in its discretion, terminate the property rights in an animal involved in a violation of this chapter if the person who owns, keeps or has custody or control of the animal has been found guilty of more than three violations of this chapter in an 18-month period, and upon such a finding the city shall dispose of the animal in accordance with the procedures set forth in section 18-55. The court shall have the power to issue search warrants for the purpose of seizing any animal that has been declared a public nuisance pursuant to this section. Whenever a person has been found guilty of three or more offenses and is charged with an additional offense in an 18-month period involving a violation of provisions of this chapter, the court shall expedite the case and hear the case before all other cases involving a violation of the municipal ordinances of the city.

(Code 1981, § 5-19.9)

### **Sec. 18-3. - Impoundment fees.**

Fees for the impoundment of animals shall be as established by ordinance from time to time.

(Code 1981, § 5-19.7)

~~Editor's note—~~

G.C. No. 5826, § 1, Exhibit B, adopted June 29, 2009, contains a schedule of fees and charges for various departments of the city. A complete copy of said schedule is adopted by reference and available at the office of the city clerk for inspection by the public.

### **Sec. 18-4. - Impoundment and disposition of stray cats.**

Any owner or person who knows a cat is a stray animal may, upon written and signed request, have the animal control officer take up and impound such animal and dispose of the animal in the manner described in section 18-55. Such stray cats shall be kept and released in accordance with the standards set forth in section 18-55 and may be disposed of only after the animal has been held 72 hours.

(Code 1981, § 5-2)

#### **Sec. 18-5. - Limitation on number of cats or dogs kept as pets.**

- (a) **Cats.** No person shall at any time keep, harbor or own as pets more than four cats over the age of six months.
- (b) **Dogs.** It shall be unlawful for a family living in a dwelling to keep, maintain, harbor or own more than four dogs over the age of six months on or about the lot, unless a license has been issued by the city to operate a kennel. Any family that has more than four dogs per dwelling at the time of the enactment of the ordinance from which this subsection is derived May 7, 1979 may continue to keep the same dogs provided such persons register with the finance department of the city in accordance with procedures to be established by the finance director within six months after the passage of such ordinance upon payment of a \$5.00 registration fee; provided, however, in no event shall such person add to or replace such dogs, and that in no event shall the right to keep more than four dogs under the provisions of this subsection be for more than five years unless otherwise extended by the city council. Definitions for words used in this section are as defined in the zoning ordinance.

(Code 1981, § 5-3)

#### **Sec. 18-6. - Location of dog pens in relation to other properties.**

- (a) No person shall keep a dog in any pen on property owned or controlled by him, the exterior boundary of which pen is closer than 25 feet at the nearest point to the dwelling of another, a church, a school or a place of business of another; nor shall any person keep a dog within 25 feet of the dwelling of another, a church, a school or a place of business of another.
- (b) For purposes of this section, the word "pen" shall not include completely or substantially enclosed rear or front yards.

(Code 1981, § 5-3.1)

#### **Sec. 18-7. - Dogs causing a nuisance; vicious dogs.**

- (a) It is unlawful for any person to own, harbor or possess a vicious dog, except as allowed by the provisions of this section.

The municipal court judge or hearing examiner may declare a dog vicious:

- (1) When evidence shows an attack or bite to a human is unprovoked.
  - (2) When evidence shows an attack upon another domestic animal is unprovoked.
  - (3) In the absence of a bite, when sufficient evidence is presented to show the dog or dogs display characteristics such as habitually snapping, charging, growling, or otherwise manifests a disposition to bite, attack or injure any person or domestic animal or pet if afforded the opportunity, or if in the judgment of the court it causes any person to have a reasonable fear of immediate serious physical injury.
- (b)



It is unlawful for any person to violate any restriction imposed by this section after a dog has been declared a vicious dog by order of the municipal court or by order of the hearing examiner.

- (c) Upon the filing of the affidavit of the director of public health and welfare, or of his designee, with the municipal prosecutor alleging the dog is a vicious dog, and upon the motion of the prosecutor, the judge of the municipal court may order any of the following: that the dog be seized and impounded, that the dog be impounded past the ten-day rabies observation period, or that the dog be impounded during the pendency of charges and not be released while the charges are pending without order of the municipal judge.
- (d) Administrative process.
  - (1) The city may at any time initiate an administrative hearing in writing to determine if a dog is vicious pursuant to this chapter. If a dog is being held pursuant to municipal court order as an alleged vicious dog, the owner of the dog may request an administrative hearing in writing. The hearing shall be held in accordance with the procedure set forth in article X of the Land Development Code and shall be held within 25 days of the request unless continued based upon a showing of good cause. The hearing examiner, as appointed by the city manager, shall take evidence and determine if the facts support a finding that the dog is vicious. If the hearing examiner finds the dog to be vicious, an order shall be entered consistent with the remedies set forth in this section. No penalty provided for in section 1-7 shall be imposed by the hearing examiner. The hearing examiner shall not be a judge of the municipal court.
  - (2) Any dog declared vicious by the hearing examiner may be ordered humanely euthanized upon the expiration of the appeal period.
  - (3) Any dog declared vicious by the hearing examiner and not ordered euthanized and as a condition of residing within the corporate limits of the city shall be required to meet the following mandated restrictions:
    - a. The dog or dogs must receive an identification microchip implant within one week of the order of the municipal court. The microchip used must be approved by the city department of public health and welfare and implanted by a licensed veterinarian. It shall be a violation of this Code for a microchip to be removed unless it is for a medical reason and then only by a licensed practicing veterinarian. The health authority must be notified immediately of said removal.
    - b. The dog or dogs shall be securely confined indoors or in a securely enclosed and locked kennel or cage. The kennel or cage shall be the size appropriate to the size of the dog or dogs kept therein and shall provide adequate ventilation, shade from the sun, and protection from the elements. In the event of a dispute over the appropriate size, the guidelines of the state department of agriculture regulations for animal care facilities shall apply. The kennel or cage must be constructed with nine-gauge steel chain link. Such kennel or cage must have secure sides, a secure top, and secure bottom or floor attached to the sides, or the sides must be embedded in the ground. In addition, the kennel or cage must have a double-blind entrance and must be locked with a key or combination lock when such dog or dogs are within the structure. Any such kennel or cage must be located at least 25 feet from the nearest point to the dwelling of another, a church, a school or a place of business of another and must comply with all zoning and building regulations of the city.
    - c. The dog or dogs shall not be allowed by remedy to be removed from the city to a location outside of the city limits.

- (4) Any dog declared vicious by the hearing examiner and not ordered euthanized, and as a condition of residing within the corporate limits of the city, may be required to meet any or all of the following restrictions:
- a. The dog or dogs shall be spayed or neutered within one week of the ruling unless a duly licensed veterinarian practicing in the city or Greene County documents to the director of public health and welfare that medical conditions of the dog contradict sterilization. Such sterilization shall require surgical removal of the gonads. Verification that sterilization has taken place shall be presented to the director of public health and welfare by the licensed practicing veterinarian performing the procedure.
  - b. The dog or dogs shall be registered with the health department each year with the annual fee to be set at \$50.00.
  - c. All owners, keepers or harborers of any vicious dog must maintain in effect public liability insurance in a single incident amount of \$100,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such dog. A \$100,000.00 surety bond or letter of credit may be substituted for the insurance policy. All owners, keepers or harborers of vicious dogs shall present to the animal control officer a statement from all parties involved certifying that they have the required insurance policy, surety bond, or letter of credit.
  - d. When confined indoors, no vicious dog or dogs may be kept on a porch, patio or in any part of a house, building or structure that would allow the dog or dogs to exit such building on its own volition. No such dog or dogs may be kept in a house, building or structure when the windows are open. No vicious dog may be kept in a house, building or structure when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.
  - e. No person shall permit a vicious dog or dogs to go outside its kennel, cage, or secure structure unless that person has the dog or dogs securely leashed to a buckle collar and on a leash no longer than six feet in length, and that person has physical control of the dog. Such dogs shall not be leashed to inanimate objects such as trees, posts and buildings. Additionally, all such dogs on a leash outside the dog's kennel, cage, or secure structure must be muzzled by a humane muzzling device sufficient to prevent the dog from biting persons or other animals.
  - f. The premises on which the dog or dogs are kept shall be clearly posted with signage warning the public of the following:  
WARNING A DOG IS PRESENT ON THIS PROPERTY THAT HAS BEEN DECLARED VICIOUS BY THE SPRINGFIELD MUNICIPAL COURT.  
The sign shall be visible and capable of being read from the street, road or highway that abuts the premises. In addition, the sign must include a picture or symbol that conveys the idea of a vicious dog to small children that cannot read.
  - g. Any dog or dogs declared vicious by the hearing examiner cannot be sold, given away, or ownership otherwise transferred without the expressed permission of the director of public health and welfare.
  - h.

To assure compliance with the hearing examiner-ordered restrictions, the health authority is hereby authorized to conduct unannounced inspections of such frequency so as to determine if said restrictions are being met.

- i. Refusal or failure to comply with any of the mandated or hearing examiner-ordered restrictions or authorized inspection shall constitute a violation of this Code and, in addition, shall be considered as justifiable grounds for the hearing examiner to order further restrictions or euthanization of the dog or dogs.
- (5) Any party aggrieved by an administrative decision pursuant to subsection (d) may appeal by filing a request for review with the Greene County Circuit Court no later than the 30th day after the issuance of the administrative decision.
- (e) Criminal process. Any person found guilty of a violation prescribed in subsection (a) or (b) by a judge of the municipal court shall, upon conviction thereof, be punished as provided by section 1-7, and each and every instance of violation shall be a separate offense. A judge of the municipal court shall not impose any penalty listed in subsection (d).
- (f) Any dog or dogs maintained and utilized by any governmental law enforcement agency shall not be considered a vicious dog so long as it is maintained and utilized for law enforcement purposes.

(Code 1981, § 5-4; G.O. No. 5374, § 2, 5-24-2004; G.O. No. 5703, § 1, 8-27-2007; G.O. No. 5975, § 1, 3-12-2012)

#### **Sec. 18-8. - Placing poison so as to constitute hazard to humans or animals.**

No person shall feed or place so as to constitute a direct or obvious hazard to man or animal or shall offer or tempt any dog or pet animal with any liquid, meat or food product which shall:

- (1) Cause prostration, convulsion, pain or suffering as a prelude to death;
- (2) Cause death; or
- (3) Be proven to be toxic or lethal in the amount present to any man or domestic animal by competent medical or veterinary authority.

(Code 1981, § 5-5)

#### **Sec. 18-9. - Cruelty to animals.**

- (a) No person shall be cruel or inhumane to any dog or cat by beating, torturing, kicking or other physical abuse.
- (b) No person shall torture, torment, wound, maim, mutilate or cruelly beat, cruelly overwork, cruelly drive or work when unfit for labor, cruelly kill or cruelly abandon to die any domestic animal; provided that nothing contained in this subsection shall be construed to prohibit or interfere with any scientific experiment or investigation.
- (c) No person shall impound or confine, or cause to be impounded or confined, in any pound or other place, any animal or creature, and fail to supply the animal or creature during such confinement with adequate food and water, or shall unnecessarily fail to provide the animal or creature with adequate food, water or shelter or shall carry or cause the animal or creature to be carried or moved on any vehicle or otherwise in an unnecessarily cruel or inhumane manner.
- (d) No person having ownership or custody of an animal shall fail to provide adequate care.
- (e) Any person found guilty of a violation prescribed in this section shall, upon conviction thereof, be punished as provided by section 1-7, and each and every instance of violation shall be a separate offense.

(Code 1981, § 5-6; G.O. No. 5706, § 1, 8-27-2007)



*State law reference— Animal abuse, RSMo 578.012.*

### **Sec. 18-10. - Search and seizure warrants.**

- (a) The judge of the municipal court, upon application of the city attorney or assistant city attorney and upon a showing that there is probable cause to believe that a violation of section 18-7 or 18-9 exists, and that there is probable cause to believe that evidence of such violation may be found at a specified location, may issue a search and seizure warrant, which shall be served only by an official of the department of public health and welfare in the company of a uniformed officer of the city police department. The warrant shall specify that only animals, domesticated or wild, and other living creatures may be seized and shall specify the location of any animals to be seized.
- (b) The judge of the municipal court shall upon issuance of a search and seizure warrant under this section order the department of public health and welfare to:
  - (1) Use reasonable care to care for and maintain the animals seized pursuant to the authority granted by this section free of charge to their owner for a period of two weeks or upon a disposition of any municipal court proceedings filed under section 18-9, whichever is sooner;
  - (2) Return to the municipal court for further instructions concerning the disposition of any animals seized pursuant to the authority granted by this section if the animals have not been returned to their rightful owner at the end of two weeks; and
  - (3) Seek the permission of the municipal court before killing or giving up for adoption any animals seized pursuant to the authority granted by this section.
- (c) Upon an owner's being found guilty of a violation of section 18-9, the municipal court shall require that the owner pay a reclamation fee of such amount as established by ordinance from time to time, plus any other license fees or immunization costs imposed under this chapter. Failure or refusal to pay such fees shall constitute abandonment of any ownership rights to the seized animal, and the judge shall immediately order the animal's disposal.
- (d) The judge of the municipal court, in exercising authority granted in this section relative to the disposition of impounded animals, shall authorize the disposal of all animals pursuant to subsection 18-26(d); however, in exercising such authority, the municipal judge may authorize the disposal of dogs and cats pursuant to section 18-55

(Code 1981, § 5-6.1)

### **Sec. 18-11. - Use of metal traps.**

- (a) The use of metal traps is hereby prohibited inside the city, unless such traps are used in accordance with the provisions of this section.
- (b) For the purpose of this section, the term "metal trap" is defined as a metal clamping device which is made of metal generally used for the purpose of trapping animals, which device has metal jaws which close upon the animal so as to trap the animal between the jaws of the trap.
- (c) Metal traps as defined in this section are permitted only under the following circumstances:
  - (1) Metal traps may be used in enclosed areas or fenced areas where the location of the trap is such that no danger is presented to small children or pet animals.
  - (2) Metal traps may be used by licensed pest control operators when such operators are using traps in conjunction with their work.
  - (3)

The use of metal traps shall be permitted by the city, the state and the United States government when used in conjunction with public health control activities.

- (4) Metal traps may be used by citizens if they secure a permit for the use of such traps from the department of public health and welfare of the city. Such permit shall be issued for a limited time upon a showing that the applicant requesting the use of the metal trap is going to use the trap for the purpose of trapping pests, rodents or other types of animals that are a nuisance or health problem and that the trap will be used under conditions so as to not endanger small children or pet animals. The department of public health and welfare may condition the issuance of the permit upon the applicant meeting other requirements designed to protect the public health or safety.

(Code 1981, § 5-6.2)

**Sec. 18-12. - Sale of baby fowl or baby rabbits at Easter or use of as prizes or as part of contests.**

(a) *Prohibited.*

- (1) It shall be unlawful for any person to knowingly sell, offer for sale, barter or give away baby chicks, baby rabbits or ducklings, whether or not dyed, colored or otherwise artificially treated, for the purpose of being used or treated as pets or novelties, during the period beginning three weeks before Easter Sunday and ending one week after Easter Sunday.
- (2) No person operating any retail or wholesale business, game of skill or chance, amusement, contest, or carnival show or ride shall give or transfer, or offer to give or transfer to another, a live rabbit or any live fowl as a prize, gift, reward or promotional incentive.
- (3) No person shall use or employ rabbits or any fowl in any manner in the course of any game of skill or chance or contest.

- (b) *Exception.* This section shall not be construed to prohibit the display or sale of natural chicks, rabbits or ducklings in proper brooder facilities by hatcheries or stores engaged in the business of selling them to be raised for commercial purposes or domestic purposes.

(G.O. No. 5706, § 1, 8-27-2007)

*Editor's note—*

G.O. No. 5706, § 1, adopted August 27, 2007, amended § 18-12 in its entirety to read as herein set out. Formerly, § 18-12 pertained to the sale of baby chicks, baby rabbits or ducklings at Easter, and derived from the Code of 1981, § 5-7.

**Sec. 18-13. - Possession, display or sale of wild animals.**

- (a) *Prohibited.* It shall be unlawful for any person to keep, possess, display or offer for sale any wild animal within the city. For the purpose of this section, the term "wild animals" shall include but not be limited to dangerous or exotic carnivorous animals and bats, nonhuman primates, dangerous or poisonous reptiles, foxes, raccoons, skunks, opossums and turtles, or any wild animal crossbred to domestic dogs or cats.
- (b) *Exception.* This section shall not apply to common carriers transporting wild animals for hire in the usual course of their business, or to wild animals kept for exhibition purposes by circuses, zoos, scientific or educational institutions, research laboratories or veterinary hospitals, in accordance with such regulations as may be established by the director of public health and welfare.

(G.O. No. 5706, § 1, 8-27-2007)

*Editor's note—*

G.O. No. 5706, § 1, adopted August 27, 2007, amended § 18-13 in its entirety to read as herein set out. Formerly, § 18-12 pertained to the possession, display or sale of dangerous snakes or reptiles, and derived from the Code of 1981, § 5-8.

**Sec. 18-14. - Keeping of livestock generally—Cattle, horses, sheep and goats.**

- (a) *Distance from dwellings and other structures.* No person shall keep a cow, bull, mule, jack, horse, goat or sheep in an outdoor enclosure or pasture, the exterior boundary of which is within 100 feet of the dwelling house of another, a church, a school or a place of business of another.
- (b) *Limitation on number kept.* No person shall keep more than one cow, bull, jack, horse, goat or sheep or any combination of such animals in an outdoor enclosure or pasture unless such enclosure or pasture shall have an area of 21,780 square feet for each of such animals; provided that this area requirement shall not apply to the keeping of suckling offspring of a cow or mare.
- (c) *Animals prohibited on street or sidewalk.* No person shall pasture cattle, mules, jacks, horses, goats or sheep in such manner as to permit them to get upon a sidewalk or in a street.

(Code 1981, § 5-9)

**Sec. 18-15. - Same—Keeping of swine.**

- (a) *Restricted.* No person shall keep or permit the keeping of hogs, swine or pigs on premises owned or controlled by him within the city, except as otherwise provided in this section.
- (b) *Keeping permitted in areas of city annexed November 8, 1955.* In all areas which became part of the city on November 8, 1955, under an amendment to the Charter adopted March 17, 1953, persons having at least five contiguous acres may keep hogs, swine or pigs; provided that such persons were keeping hogs, swine or pigs on November 8, 1955. No hogs, swine or pigs shall be kept by any such person to a greater number than one per each one-half acre of land owned or controlled by such person. Any hogs so kept shall be allowed the freedom of the whole tract of land, and no person shall keep any hogs, swine or pigs in a common pen or sty. No hogs, swine or pigs shall be kept within 300 feet of any inhabited dwelling, house, school, church or business.
- (c) *Termination of right to keep.* Any person who shall keep hogs, swine or pigs under the terms of this section and shall, at any time in the future, cease keeping the hogs, swine or pigs, shall thereupon lose the right to keep hogs, swine or pigs within the city.
- (d) *Exceptions.* The provisions of this section shall not apply to any lawfully operated stockyard or slaughterhouse.

(Code 1981, § 5-10)

**Sec. 18-16. - Keeping of livestock in districts zoned for agricultural uses.**

Notwithstanding any other section of this Code to the contrary, hogs, swine, pigs or livestock may be kept on a farm in any zone in which agricultural uses are allowed pursuant to the city zoning ordinance of ten acres or more; provided, however, that hogs, swine, pigs or livestock shall be kept at least 300 feet from any inhabited nonfarm dwelling, school, church, or property zoned for single-family dwelling purposes, two-family dwelling purposes or multifamily dwelling purposes. The provisions of section 18-14 pertaining to minimum area required for the keeping of livestock shall

not apply to any zone in which agricultural uses are allowed pursuant to the city zoning ordinance, provided the farm is ten acres or more.

(Code 1981, § 5-10.5)

### **Sec. 18-17. - Purchase or sale of livestock on streets.**

No person shall buy, offer to buy or solicit the sale of any cattle, sheep, swine or other livestock of any description upon any of the streets, street rights-of-way or sidewalks within the city.

(Code 1981, § 5-11)

*Cross reference— Streets, sidewalks and public places, ch. 98.*

### **Sec. 18-18. - Parking of vehicles used for transporting livestock or poultry.**

No person shall park or leave standing on any alley, street or public place any vehicle used for the purpose of transporting or moving livestock or poultry while such vehicle is being used to transport or move livestock or poultry, and no person shall park or leave standing on any alley, street or public place any vehicle which has been used for the purpose of transporting or moving livestock or poultry which shall contain any manure, droppings or waste matter.

(Code 1981, § 5-12)

*Cross reference— Traffic and vehicles, ch. 106.*

### **Sec. 18-19. - Disposition of manure from stables.**

Every stable, shed or other building where a horse, cow or other animal is kept shall have, either within or immediately adjoining it, a flyproof, covered, watertight box, bin or other receptacle for receiving and holding manure and litter accumulating between the times of removal from the premises. Such receptacle shall be kept tightly closed at all times, except when being filled or emptied. Such receptacle shall be completely emptied whenever filled, such emptying to take place at least once each week from April 1 to November 1. Such receptacle shall be cleaned and disinfected with a solution of lime or other disinfectant whenever so ordered by the department of public health and welfare.

(Code 1981, § 5-13)

### **Sec. 18-20. - Cleaning of stable floors.**

The floors of the buildings described in section 18-19 shall be cleaned daily and all manure and litter removed and deposited in the receptacle required by such section. Such floors shall be disinfected with a solution of lime or other disinfectant whenever so ordered by the department of public health and welfare.

(Code 1981, § 5-14)

### **Sec. 18-21. - Yards surrounding stables.**

All yards surrounding stables or buildings where animals are housed shall be kept well drained and free from standing water and filth.

(Code 1981, § 5-15)



**Sec. 18-22. - Depositing manure; transport of manure.**

No manure shall be thrown or deposited in any alley, street or public place or on any vacant lot; provided that the scattering of manure on lawns or gardens for fertilizing purposes shall be permitted if such scattering is not of such a nature as to be a nuisance to the surrounding neighborhood. No manure shall be transported over the streets in such a manner as to permit it to drop out on such streets and no vehicle hauling manure shall stand on any street, except for the purpose of loading or unloading.

(Code 1981, § 5-13)

**Sec. 18-23. - Fowl running at large.**

No person owning any chickens, guineas, geese, ducks, turkeys or other domestic fowl shall allow or permit the fowl to run at large, except on premises owned or controlled by such person.

(Code 1981, § 5-17)

**Sec. 18-24. - Keeping of fowl and chickens.**

(a) *Keeping of fowl and more than six chickens.*

- (1) No person shall keep chickens or other domestic fowl in any pen having an area of less than 144 square feet or the exterior boundary of which is less than 50 feet at the nearest point from the dwelling of another, a church, a school or a place of business of another. If more than 12 chickens or other fowl are kept in a pen, the pen shall have an area equal to 12 square feet for each chicken or other fowl kept in such pen.
- (2) No person shall keep 25 or more chickens, chicks or other domestic fowl in a battery located in a building or structure unless the battery is located more than 50 feet at the nearest point from any dwelling of another, church, school or place of business of another. Not more than 24 chickens, chicks, or other domestic fowl may be kept in a battery located inside a building or structure if the battery is more than 25 feet from the dwelling of another, a church, a school or a place of business of another. This subsection shall not apply to any lawfully operated hatchery.

(b) *Keeping of six or less chickens.*

- (1) The maximum number of chickens allowed is six per tract of land regardless of how many dwelling units are on the tract.
- (2) Only female chickens shall be allowed. There shall be no restriction on chicken breeds.
- (3) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.
- (4) Slaughter may occur for personal use provided that it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area or right-of-way.
- (5) Chickens shall be kept in a secured enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.
- (6) Enclosures shall be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.
- (7)

- Henhouses, chicken tractors and chicken pens shall provide adequate ventilation and adequate sun and shade and shall be impermeable to rodents, wild birds, and predators, including dogs and cats.
- (8) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
- a. A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors shall be able to be shut and locked at night. Openings, windows, and vents shall be covered with predator and bird proof wire of less than one-inch openings.
  - b. Henhouses, chicken tractors, and chicken pens shall only be located to the defined rear of the property as required by the zoning code.
  - c. Henhouses, chicken tractors, and chicken pens shall be located at least three feet from the property line and at least 25 feet from any adjacent residential dwelling, church, school, or place of business.
- (9) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen shall be covered with wire, aviary netting, or solid roofing.
- (10) Odors from chickens, chicken manure, or other chicken related substances shall not be detectable at the property boundaries.
- (11) All uses shall operate in accordance with the noise standards contained in section 6-1500 of the city zoning ordinance.
- (12) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an animal control officer.
- (13) The chicken owner shall provide chickens access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.
- (14) The chicken owner shall provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen, and surrounding area shall be kept free from trash and accumulated droppings.
- (15) No dog or cat which kills a chicken shall, for that reason alone, be considered a dangerous or aggressive animal.
- (16) It shall be unlawful for any person to keep chickens in violation of any provision of this article.
- (17) It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this article.
- (18) Any violation of this article that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of the city.
- (19) Each day that a violation of this article continues is a separate offense.
- (20) All other applicable city codes shall apply.

(G.O. No. 5900, § 3, 10-4-2010)

~~Editor's note--~~



G.O. No. 5900, § 3, adopted October 4, 2010, amended section 18-24 in its entirety to read as herein set out. Formerly, section 18-24 pertained to the keeping of fowl, and derived from the Code of 1981, § 5-18.

**Sec. 18-25. - Offensive or noxious odors from keeping of animals or fowl.**

No person shall keep or allow or permit to be kept on any premises occupied by him, or under his charge or control, any animal or fowl in a pen or other enclosure under such conditions that an offensive or noxious smell or odor shall arise therefrom, to the injury, annoyance or inconvenience of any inhabitant of the neighborhood.

(Code 1981, § 5-19)

**Sec. 18-26. - Livestock running at large.**

- (a) *Prohibited.* It shall be unlawful for any person to permit, suffer or allow any swine, horses, mules, asses, sheep, goats or cattle to run at large within the city, or to herd or pasture such animals in or upon any street, park or other public grounds of the city. No person shall keep any such animals, or herd such animals, on any unenclosed land within the city unless securely tied or tethered so that the animals may not freely run at large therefrom upon the public lands or the lands of others.
- (b) *Impoundment authorized.* Whenever any member of the police department shall be notified of or discover any animal running at large or pastured or kept in violation of the provisions of subsection (a) of this section, such officer shall cause such animal to be taken up and impounded, to be kept, returned or disposed of as provided in this section.
- (c) *Procedure for impoundment; impounding facilities.* Any animal impounded under the provisions of subsection (b) shall be kept in facilities provided therefor by the city, if such facilities shall be in existence; and unless or until there shall be such facilities, the purchasing agent is hereby authorized to enter into a contract on behalf of the city from time to time, after ample opportunity is given for competitive bidding, for the taking up and for the care and keeping of such impounded animals. If there shall be no such city facilities, all impounded animals shall be kept in the facilities provided under such contract or agreement, and the person providing such facilities shall be deemed the agent of the city for such purposes.
- (d) *Release or sale of impounded animals.*
  - (1) When any animal shall be impounded as provided in this section, it shall be the duty of the department of public health and welfare, or other person in charge of such animal, to release the animal to the owner thereof upon payment to the city of all costs which it incurs as a result of providing care for such animals.
  - (2) The city will periodically contract with private individuals for the care and custody of horses, mules, asses, cows, hogs, swine, sheep, goats or other animals which it does not have the facilities to keep, by periodically taking bids and placing animals with the lowest responsible bidder. If the owner of an animal seeks to have the animal released, he shall be required to pay to the city a sum of money equivalent to the charges that the city has paid for the care and custody of the animal pursuant to its agreement with the successful bidder.
  - (3) The party claiming any such animal shall make satisfactory proof that he is entitled to the possession of the animal. If any such animal shall remain in the impounding facilities for five days without having been claimed, the purchasing agent shall cause the sale of the animal to the person making the best offer therefor after ample

opportunity for bidding has been given. The purchasing agent shall keep a record of all bids received for all animals, showing the date of the sale thereof and the name of the person purchasing any such animal.

- (e) *Turning animal loose for purpose of causing impoundment.* It shall be unlawful for any person to turn or cause to be turned loose any animal for the purpose of causing the animal to be impounded.
- (f) *Payment of proceeds of sale to owner of animal.* If any animal shall have been sold under the provisions of subsection (d) and the owner shall thereafter appear and make satisfactory proof of such fact within a period of one year from the date of sale, then the city shall return to the owner the difference between the cost to the city for the taking up, care and keeping of such animal and the cost of advertisement and any other costs directly related to the sale of such animal, and the price paid for the animal.

(Code 1981, §§ 5-19.1—5-19.6)

### **Sec. 18-27. - Emergency impoundment of animals.**

- (a) Animals may be impounded during an investigation for possible violations of RSMo 578.012, or section 18-9, for failure to provide adequate care to animals. When an animal is discovered in plain view in a vehicle and the ambient temperature has reached 90 degrees Fahrenheit or if an official heat alert has been declared, city employees shall follow the following steps to assure the health, safety and well-being of the animal:
  - (1) If the animal is showing only slight signs of heat stress or discomfort and no person in charge of the animal is readily apparent, and if the animal's health, safety and well-being will not be jeopardized, an attempt should be made to obtain a search warrant from a municipal judge prior to removing the animal from the vehicle.
  - (2) If the animal is exhibiting moderate signs of heat stress, such as heavy panting and clearly visible discomfort, if not already present, a city police officer should be requested to respond to the location. Under these circumstances, if the vehicle is unlocked, the animal may be removed before arrival of the police officer.
  - (3) If the animal appears to be severely stressed such as comatose, near comatose, vomiting or salivating excessively, all reasonable means may be employed to gain access to the vehicle including breaking of a window so that the animal can be removed. The animal shall be transported immediately to a veterinarian. Upon release of the animal by the veterinarian, it may be taken to the city animal shelter until claimed by the owner.
  - (4) If it becomes necessary to break a window to rescue an animal, an effort should be made to have a city employee remain at the vehicle location until the vehicle owner or operator is located or the vehicle is secured or the vehicle is removed. The vehicle may be secured or may be removed to a secure location to prevent further damage or may be removed to preserve evidence of a violation of state law or city ordinance. Upon completion of the criminal investigation by the health department and city police department and if the vehicle is no longer needed for the investigation, the vehicle can be released to the owner/operator if the owner/operator has been located.
  - (5) If the vehicle is not removed from the location after the animal has been removed, written details about the removal of the animal should be left with the vehicle. This information should include the time of day, the officer's name, the phone number of the health department, the disposition of the animal and information about where the animal can be claimed.
  - (6)

A report from the animal control division and any police incident report concerning the criminal investigation shall be forwarded to either the Greene County prosecutor or the municipal prosecutor for the city for the filing of either a state law or municipal ordinance violation.

- (b) If the owner or person in control of an animal is arrested, is deceased or is otherwise incapacitated, the animal may be taken into protective custody if no responsible party can be found to take control of the animal.
- (c) Any animal impounded under this section shall be disposed of pursuant to subsection 18-10
- (d).

(G.O. No. 5180, § 2, 5-6-2002)

## **Secs. 18-28—18-50. - Reserved.**

Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 18 - ANIMALS** >> ARTICLE II.  
- DOGS, CATS AND FERRETS >>

## **ARTICLE II. - DOGS, CATS AND FERRETS** 1211

DIVISION 1. - GENERALLY

DIVISION 2. - RESERVED

DIVISION 3. - PROHIBITION OF PIT BULL DOGS

### **FOOTNOTE(S):**

<sup>(21)</sup> *State Law reference— Dogs and dog food, RSMo 273.010 et seq.; when disabled persons may be accompanied by dogs, RSMo 209.150. [\(Back\)](#)*

Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 18 - ANIMALS** >> ARTICLE II.  
- DOGS, CATS AND FERRETS >> DIVISION 1. - GENERALLY >>

## **DIVISION 1. - GENERALLY**

Sec. 18-51. - Vaccination.

Sec. 18-52. - Tags.

Sec. 18-53. - Running at large prohibited; minimum fine.

Sec. 18-54. - Impoundment of dogs running at large.

Sec. 18-55. - Holding and disposition of impounded dogs.

Sec. 18-56. - Release of impounded dogs, cats or ferrets that have not been vaccinated and registered.

Sec. 18-57. - Refusal to deliver dog, cat or ferret to animal control officer.

Sec. 18-58. - Exemption for police dogs.

Secs. 18-59—18-80. - Reserved.

## **Sec. 18-51. - Vaccination.**

- (a) *Required.* It shall be unlawful for any person to keep, harbor or own a dog, cat or ferret within the city, until and unless such person has the dog, cat or ferret vaccinated for rabies and

secures a rabies vaccination certificate from any veterinarian who holds a current license from the state. Owners of dogs shall also secure a tag of registration vaccination issued from such veterinarian which shall be displayed on the dog for which it was issued. Owners of cats or ferrets shall also secure a tag of registration, however, the tag shall not be required to be displayed on the cat or ferret, provided the owner of the cat or ferret shall be required to retain at all times a copy of the vaccination certificate or the tag.

- (b) *Type of vaccine.* The rabies vaccine to be used shall be that approved by the director of public health and welfare upon recommendation of the Springfield Society of Veterinary Practitioners.
- (c) *Dogs, cats and ferrets owned by temporary residents of city.* Any dog, cat or ferret owned by temporary residents of this city may be deemed in compliance with subsection (a) if the dog, cat or ferret holds a valid rabies vaccination certificate issued by any graduate veterinarian.
- (d) *Procedures; records.* The owner of a dog, cat or ferret may present his dog, cat or ferret to any veterinarian and, at his own expense, receive a protective dose of approved rabies vaccine. In addition, the owner shall receive one copy of a certificate and a colored tag, both bearing a registration-vaccination number. This tag and certificate only shall be evidence of registration-vaccination and confer the right to keep a dog, cat or ferret in the city. The veterinarian shall keep one copy of the rabies vaccination certificate on file by name. If a registered dog, cat or ferret possessing a registration-vaccination tag shall bite or scratch any person or exhibit clinical symptoms suggestive of rabies, then the director of public health and welfare shall have the right to request the veterinarian, and thereupon it shall be the duty of the veterinarian who issued the tag or the rabies vaccination certificate, to deliver to the city the name and address of the owner shown on the veterinarian's copy of the registration-vaccination certificate corresponding with the number found upon the dog or on the registration vaccination certificate for the cat or ferret. No veterinarian shall destroy his copy of the certificate of registration-vaccination until at least one year after the time that the vaccination certified therein shall have expired.
- (e) *Time and frequency of vaccination.* The vaccination procedure described in subsection (d) may be carried out at any time of the year. The resulting vaccination shall be valid for the length of time set forth in the compendium.

(Code 1981, §§ 5-20—5-23; G.O. No. 4867, 1-19-1999)

### **Sec. 18-52. - Tags.**

- (a) *Attachment to collar or harness on dogs.* The tag issued after registration-vaccination shall be attached to the dog for which it was issued by means of a secure collar or harness. A rabies vaccination certificate issued after registration-vaccination of the cat or ferret shall be kept in the possession of the owner of the animal which certificate shall be presented if requested to the director of public health and welfare.
- (b) *Replacement of tags.* If a tag is lost, another tag of the same shape may be obtained from the veterinarian who issued the original, upon presentation of the original certificate and upon payment of a fee not to exceed \$2.00.
- (c) *Alteration or use of facsimiles prohibited.* No person shall provide a facsimile or deface or change the tag or rabies vaccination certificate issued in any way which shall make or cause the tag to appear valid for a longer period of time than originally intended.
- (d) *Transfer.* A tag or rabies vaccination certificate shall not be transferred from the dog, cat or ferret for which it was issued to any other dog, cat or ferret.

(Code 1981, § 5-24; G.O. No. 4867, 1-19-1999)



**Sec. 18-53. - Running at large prohibited; minimum fine.**

- (a) It shall be unlawful for any person owning, controlling, harboring, possessing, or having the management or care of any dog to permit such dog to run at large.
- (b) The minimum fine for violation of this section shall be not less than \$10.00 for each separate violation, which minimum fine shall be the minimum fine levied pursuant to section 1-7

(Code 1981, § 5-28)

**Sec. 18-54. - Impoundment of dogs running at large.**

Any dog found running at large, regardless of registered vaccination, shall be impounded. A dog running at large is hereby declared to be a public nuisance and it shall be the duty of employees of the department of public health and welfare to abate the nuisance. Employees of the department of public health and welfare shall have authority to enter upon private property in pursuing a dog which is running at large and they shall have authority to open gates, cross fences and take whatever steps that are necessary to abate the nuisance so as to impound the dog that is running at large, except nothing contained in this section shall be construed to authorize the city employee to enter into a dwelling of a person.

(Code 1981, § 5-29)

**Sec. 18-55. - Holding and disposition of impounded dogs.**

All dogs impounded shall be kept in the custody of the department of public health and welfare for a period of not less than 72 hours. They shall be fed, watered and shielded from the elements in a manner acceptable to good veterinary practice. During the 72-hour period, the dog may be released by the animal control officer to any person who shall sign an affidavit swearing the dog is his personal property. The animal control officer shall, in addition, issue a summons to the owner for violation of subsections 18-51(a), 18-52(a) or section 18-53, and shall impose a claiming fee as provided for in section 18-3 and shall require that the dog's owner fulfill vaccination procedures before release, or that he carry out vaccination as set forth in section 18-56. At the end of the 72-hour period, if a dog has not been claimed as set out in this section, the animal control officer is at liberty to dispose of the dog in any one of the following ways:

- (1) Humane euthanasia in accordance with regulations promulgated by the director of the state department of agriculture.
- (2) Releasing the dog to any person expressing a desire for any given dog, after payment of an adoption fee as provided for in section 18-3 and completion of the registration-vaccination procedure before release or completion of the procedures set forth in section 18-56
- (3) Releasing the dog to an accredited public school within the state which has a recognized research program and whose methods of animal care and use are approved by the city's director of public health and welfare, and upon payment of an impounding fee as provided for in section 18-3
- (4) Releasing the animal to the Southwest Missouri Humane Society at no charge, provided the society agrees to indemnify and hold harmless the city from any and all liabilities that might arise from such transaction.
- (5) Any other method approved by the American Humane Association.

(Code 1981, § 5-30)

**Sec. 18-56. - Release of impounded dogs, cats or ferrets that have not been vaccinated and registered.**

When any impounded dog, cat or ferret shall be released from the custody of the department of public health and welfare to the original or a new owner and such dog, cat or ferret has not completed a valid registration-vaccination procedure at the time or prior to release, the dog, cat or ferret shall be accompanied with a form to be supplied by the department of public health and welfare, and within seven days after release the dog's, cat's or ferret's owner shall complete the registration-vaccination procedure and shall leave with the vaccinating veterinarian such form to be completed by the veterinarian and returned to the department of public health and welfare.

(Code 1981, § 5-31)

**Sec. 18-57. - Refusal to deliver dog, cat or ferret to animal control officer.**

No person shall refuse to deliver up to the animal control officer his dog, cat or ferret when requested to do so under the provisions of this chapter.

(Code 1981, § 5-32; G.O. No. 4867, 1-19-1999)

**Sec. 18-58. - Exemption for police dogs.**

The provisions of this article shall not apply to any federal, state or local law enforcement agency or dog used by or belonging to such agency, provided that such dog shall be vaccinated for rabies as required by this article, and the dog's handler shall have proof of such vaccination in his possession for display as may be required. Also, at any time such dog is off its leash or otherwise at large, it shall be under the control of or in the performance of functions of duties for a law enforcement officer or handler acting on behalf of a law enforcement agency.

(G.O. No. 4805, § 1, 5-26-1998)

**Secs. 18-59—18-80. - Reserved.**

Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 18 - ANIMALS** >> ARTICLE II, - DOGS, CATS AND FERRETS >> DIVISION 2. - RESERVED >>

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**DIVISION 2. - RESERVED** **[22]**

**Secs. 18-81—18-94. - Reserved.**

**Secs. 18-81—18-94. - Reserved.**

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**FOOTNOTE(S):**

<sup>(22)</sup> **Editor's note—** G.O. No. 5374, § 1, adopted May 24, 2004, repealed division 2 in its entirety, which pertained to dangerous dogs and derived from the Code of 1981, §§ 5-50—5-63. ([Back](#))



Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 18 - ANIMALS** >> ARTICLE II.  
- DOGS, CATS AND FERRETS >> DIVISION 3. - PROHIBITION OF PIT BULL DOGS >>

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### **DIVISION 3. - PROHIBITION OF PIT BULL DOGS**

Sec. 18-95. - Prohibition of pit bull dogs.

Sec. 18-96. - Definitions.

Sec. 18-97. - Exceptions.

Sec. 18-98. - Additional regulations.

Secs. 18-99—18-120. - Reserved.

#### **Sec. 18-95. - Prohibition of pit bull dogs.**

It shall be unlawful for any person to own, possess, keep, exercise control over, maintain, harbor, transport, or sell within the city any pit bull.

(G.O. No. 5536, § 1, 4-17-2006)

#### **Sec. 18-96. - Definitions.**

For purposes of this chapter:

*Owner* means any person who owns, possesses, keeps, exercises control over, maintains, harbors, transports or sells an animal.

*Pit bull* means any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or any dog displaying the majority of physical traits of any one or more of the above breeds, or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds. The A.K.C. and U.K.C. standards for the above breeds are on file in the office of the city clerk.

*Secure temporary enclosure* means a secure enclosure used for purposes of transporting a pit bull and which includes a top and bottom permanently attached to the sides except for a "door" for removal of the pit bull. Such enclosure must be of such material, and such door closed and secured in such a manner, that the pit bull cannot exit the enclosure on its own.

(G.O. No. 5536, § 1, 4-17-2006)

#### **Sec. 18-97. - Exceptions.**

The prohibition in section 18-95 shall not apply in the following enumerated circumstances. Failure by the owner to comply and remain in compliance with all of the terms of any applicable exception shall subject the pit bull to immediate impoundment and disposal pursuant to this section, and shall operate to prevent the owner from asserting such exception as a defense in any prosecution under section 18-95.

- (1) The city's municipal animal shelter may temporarily harbor and transport any pit bull for purposes of enforcing the provisions of this chapter.
- (2)

Any humane society operating an animal shelter which is registered and licensed by the city may temporarily hold any pit bull that it has received or otherwise recovered, but only for so long as it takes to contact the city's municipal animal shelter and either turn the pit bull over to the municipal animal shelter employees or receive permission to destroy or have destroyed the pit bull pursuant to the provisions of section 18-95

- (3) A person may temporarily transport into and hold in the city a pit bull only for the purpose of showing such pit bull in a place of public exhibition, contest or show sponsored by a dog club association or similar organization. However, the sponsor of the exhibition, contest, or show must receive written permission from the city manager or his authorized representative, must obtain any other permits or licenses required by city ordinance, and must provide protective measures adequate to prevent pit bulls from escaping or injuring the public. The person who transports and holds a pit bull for showing shall, at all times when the pit bull is being transported within the city to and from the place of exhibition, contest, or show, keep the pit bull confined in a "secure temporary enclosure" as defined in section 18-96
- (4) **Except** as provided in subsection (3), the owner of a pit bull may temporarily transport through the city a pit bull, or, such owner may transport the animal to a vet or groomer for care or participate in a skills or exhibition show as provided in subsection 18-98(4). At all times when the pit bull is being transported within the city, it must be kept confined in a "secure temporary enclosure" as defined in section 18-96

(G.O. No. 5536, § 1, 4-17-2006)

### **Sec. 18-98. - Additional regulations.**

The current owner of any pit bull or any person who acquires valid ownership of a pit bull shall be allowed to keep such pit bull within the city only if the owner registers the pit bull with the city and receives a valid registration. Further, any person owning a pit bull who relocates his or her residence to the city shall, within 30 days of relocating their residence to the city, register their pit bull and comply with all provisions of this chapter regarding ownership of such animal. As a condition of registration of a pit bull, the owner shall at the time of application comply with or otherwise provide sufficient evidence that the owner is in compliance with all of the following regulations:

- (1) The owner of the pit bull shall provide proof of rabies vaccination and shall pay the annual pit bull registration fee of \$50.00.
- (2) The owner of the pit bull shall keep current the registration for such pit bull through annual renewal. Such registration is not transferable and shall be renewable only by the holder of the registration or by a member of the holder's immediate family. A pit bull registration tag will be issued to the owner at the time of issuance of the registration. Such registration tag shall be attached to the pit bull by means of a collar or harness and shall not be attached to any pit bull other than the pit bull for which the registration was issued. If the pit bull tag is lost or destroyed, a duplicate tag may be issued upon the payment of a \$2.00 fee.
- (3) The owner shall, at the owner's own expense, have the pit bull spayed or neutered and shall present to the city manager or his authorized representative documentary proof from a licensed veterinarian that this sterilization has been performed. This subsection shall not apply to any pit bull which is registered as an active participant in a dog exhibition or skills association or organization for which the owner must present a certificate of registration from the American Kennel Club and/or the United Kennel

Club and a signed and notarized affidavit that the animal has or will be used a show dog or is a registered service animal. The exception contained in this subsection does not apply to any pit bull which has not actively participated in any such shows in the previous 12 months.

- (4) The owner shall bring the pit bull along with the documentary proof that all of the above conditions have been met to the city animal shelter. The city animal shelter shall issue a registration and registration tag if all conditions have been met and upon receipt of the registration fee. The owner shall allow a person authorized by the city manager to implant a microchip or at the owner's option have the microchip implanted by a veterinarian. The city animal shelter shall maintain a file containing the registration numbers and names of the pit bulls and the names and addresses of the owners. The owner shall notify the city animal shelter of any change of address.
- (5) At all times when a pit bull is at the property of the owner, the owner shall keep the pit bull "confined", as that term is defined in subsection 18-7 (f)(2). At all times when a pit bull is away from the property of the owner, the owner shall keep the pit bull securely leashed and either muzzled or wearing head gear that provides equal protection as if muzzled or in a "secure temporary enclosure", as that term is defined in section 18-96
- (6) An owner of a pit bull shall notify the city manager or authorized representative within five days in the event that the pit bull is lost, stolen, dies, or has a litter. In the event of a litter, the owner must deliver the puppies to the city animal shelter for destruction or permanently remove the puppies from the city and provide sufficient evidence of such removal by the time the puppies are weaned, but in no event shall the owner be allowed to keep in the city a pit bull puppy born after the date of publication of this ordinance, that is more than eight weeks old. Any pit bull puppies kept contrary to the provisions of this subdivision are subject to immediate impoundment and disposal pursuant to this section.
- (7) The owner shall have posted at each possible entrance to the owner's property where the pit bull is kept a conspicuous and clearly legible pit bull sign. Such pit bull sign must be at least eight inches by ten inches in rectangular dimensions and shall contain only the words "PIT BULL DOG" in lettering not less than two inches in height.
- (e) Notwithstanding the provisions of this chapter, the city manager or his authorized representative is authorized to immediately impound any pit bull found in the city which does not fall within the exceptions listed in section 18-97, and the municipal animal shelter may house or dispose of such pit bull in such manner as the city manager or his authorized representative may deem appropriate, except as the procedures in subsection (f), otherwise require.
- (f) When the city manager or his authorized representative has impounded any pit bull dog pursuant to this section, and the owner of such dog disputes the classification of such dog as a pit bull, the owner of such dog may file a written petition with the city manager or his authorized representative for an administrative hearing concerning such classification no later than seven days after impoundment. Such petition shall include the name and address, including mailing address, of the petitioner. The city manager or his authorized representative will then issue a notice of hearing date by mailing a copy to the petitioner's address no later than ten days prior to the date of the hearing. Where no written request from the owner for a hearing is received by the city manager or his authorized representative within seven days of impoundment, the pit bull shall be destroyed.

The administrative hearing, if any, will be held before the city municipal court. Any facts which the petitioners wish to be considered shall be submitted at the hearing. Municipal court shall make a final determination whether the dog is a pit bull as defined in section 18-96. Such final

determination shall be considered a final order of the city manager or his authorized representative subject to review under RSMo ch. 536.

If the dog is found to be a pit bull, it shall be destroyed, unless the owner produces evidence deemed sufficient by the city manager or his authorized representative that the pit bull is to be permanently taken out of the city and the owner pays the cost of impoundment. If the dog is found not to be a pit bull, the dog shall be released to the owner. The procedures in this subsection shall not apply and the owner is not entitled to such a hearing with respect to any dog which was impounded as the immediate result of an attack or bite and has been deemed a "dangerous dog" under section 18-7.

(G.O. No. 5536, § 1, 4-17-2006)

*Editor's note—*

G.O. No. 5536, § 1, adopted April 17, 2006, did not specify a title for § 18-98; hence, the title "Additional regulations" has been designated at the discretion of the editor.

### **Secs. 18-99—18-120. - Reserved.**

Springfield, Missouri, Code of Ordinances >> PART II - CODE >> **Chapter 18 - ANIMALS** >> ARTICLE III.  
- RABIES CONTROL >>

## **ARTICLE III. - RABIES CONTROL** [23]

Sec. 18-121. - Procedure when person bitten or scratched by animal.

Sec. 18-122. - Pursuit and impoundment of animals suspected of having bitten or scratched a person.

Sec. 18-123. - Impoundment of suspected rabid animals.

Sec. 18-124. - Animals exposed to rabies.

Sec. 18-125. - General quarantine of animals.

Sec. 18-126. - Report of rabies cases by veterinarians.

Sec. 18-127. - Animals exhibiting symptoms of diseases other than rabies.

Sec. 18-128. - Right of entry of director of public health and welfare.

Sec. 18-129. - Exemption for police dogs.

### **Sec. 18-121. - Procedure when person bitten or scratched by animal.**

- (a) The owner of any animal which, through biting or scratching, breaks or abrades the skin of any person, regardless of the circumstances or whether the animal is vaccinated and registered or not, shall be required to place the animal in a veterinary hospital maintained by a licensed veterinarian for a period of not less than ten days following the evening of the day of the bite for clinical observation based upon the most current medical information. The observation and disposition of other animals involved in biting or scratching any person shall be specified by the department of public health and welfare.
- (b) All expenses shall be borne by the owner of the animal. If such animal develops symptoms suggestive of rabies, the department shall determine the necessity of euthanasia or the animal may be allowed to die a natural death. If the animal should die while in confinement for any reason, the head of such animal shall be removed and submitted to any qualified official laboratory. When the director of public health and welfare determines that an



immediate examination of the animal is proper in order to provide for adequate protection of human life or safety, then the animal may be euthanized for purpose of examination before the lapse of ten days. If at the end of the ten-day period the animal is alive and healthy, it may be released to its owner. Only under special circumstances to be specified by the department of public health and welfare shall an animal be confined on the owner's or other premises for the ten-day period.

- (c) Should it be deemed advisable by the director of public health and welfare of the city, animals impounded under this section may be kept at the animal shelter for the costs provided for in section 18-3
- (d) All animals under clinical observation for rabies must fulfill all other conditions of this chapter prior to release. At the time of the biting, a summons shall be issued to the owner if in violation of any other parts of this chapter.

(Code 1981, § 5-33)

### **Sec. 18-122. - Pursuit and impoundment of animals suspected of having bitten or scratched a person.**

- (a) *Pursuit.* Whenever an animal control officer or police officer of the city shall have reasonable grounds to believe that a person has been bitten or scratched by a dog, cat, rodent or other animal and shall have reasonable grounds to believe any particular dog, cat, rodent or other animal to be guilty of having inflicted the bite or scratch, then such officer shall be authorized to pursue such dog, cat, rodent or other animal onto or into the property of any person whomsoever for the purpose of taking up such animal and impounding the animal, and shall be authorized to enter any place, building or property of another when the officer has reasonable grounds to believe that such dog, cat, rodent or other animal is thereon or therein for the purpose of taking up such animal and impounding the animal; provided, however, no officer shall enter the dwelling place of another without first giving opportunity to the occupant thereof, if he can be found, to deliver such animal. It shall be unlawful for any person to interfere with any officer proceeding in accordance with the provisions of this section.
- (b) *Impoundment; notification of owner.* When any such officer shall have so impounded any dog, cat, rodent or other animal, it shall be the duty of the director of public health and welfare of the city to immediately notify the owner, if he is known, of such dog, cat, pet rodent or other animal, and it shall be the duty of such owner to comply with the provisions of section 18-121
- (c) *Search and seizure warrant.* Whenever an animal control officer or the police of the city shall have probable cause to believe that an animal has bitten or scratched a person, such officer may, in addition to other remedies provided in this section, request that a warrant be issued to search for and seize such animal pursuant to section 18-10

(Code 1981, § 5-33.1)

### **Sec. 18-123. - Impoundment of suspected rabid animals.**

- (a) Any animal which exhibits clinical symptoms suggestive of rabies may, at the discretion of the director, after written certification by the department of public health and welfare to the owner, be impounded on or off the property of the owner. This animal shall be held for ten days at the city's impounding facilities for clinical observation and, if alive at the termination of this period, may be returned to the owner. As an alternative procedure, the owner may

designate any veterinary hospital in the city for a similar ten-day period. All expense shall be borne by the owner.

- (b) If such animal shall die during the observation period, regardless of the location, the head shall be removed and submitted to a qualified official laboratory for examination.

(Code 1981, § 5-34)

#### **Sec. 18-124. - Animals exposed to rabies.**

Any animal which has been exposed to rabies shall be immediately destroyed or otherwise handled in accordance with procedures prescribed by the state department of health in the latest issue of the Rabies Policy and Procedures Manual, a copy of which is on file with the office of the city clerk. All related costs shall be borne by the owner of the animal involved.

(Code 1981, § 5-35)

#### **Sec. 18-125. - General quarantine of animals.**

When the director of public health and welfare shall deem it necessary because of the prevalence of rabies among the animal population of the city, county or state, strict quarantine may be placed on any species or breed of animal in any designated area of the city. This proclamation shall be construed to mean that all dogs, cats or other animals shall be confined in the owner's home or tied up or placed on a leash and under the direct physical control of a person at least 15 years of age. Violation of this regulation shall be a misdemeanor. Any dog, cat or other animal found otherwise during such a quarantine shall be impounded. Dogs or other animals which are impossible to capture shall be shot, if the director of public health and welfare so designates.

(Code 1981, § 5-36)

#### **Sec. 18-126. - Report of rabies cases by veterinarians.**

All veterinarians in the city shall report at once all cases of clinical rabies to the division of veterinary services of the department of public health and welfare.

(Code 1981, § 5-37)

#### **Sec. 18-127. - Animals exhibiting symptoms of diseases other than rabies.**

Any dog or other animal which does not possess a valid registration-vaccination tag and which reveals the symptoms of any disease clearly not those of rabies, as determined by the department of public health and welfare, may be subject to disposal as set forth in subsection 18-55 (1) at the earliest possible time by the animal control officer.

(Code 1981, § 5-38)

#### **Sec. 18-128. - Right of entry of director of public health and welfare.**

The director of public health and welfare or his duly appointed representative shall have the right of entry to any property or premises for the purpose of examining and impounding any animal involved in a bite or scratch or exposed to or exhibiting clinical symptoms of rabies; provided, however, if time and circumstances warrant, the director of public health and welfare may apply to the municipal court for a search warrant for the purpose of seizing the animal which warrant shall be issued upon a showing that a person has been bitten or scratched by an animal and there is



probable cause to believe that the animal is being harbored at the location specified in the search warrant.

(Code 1981, § 5-39)

### **Sec. 18-129. - Exemption for police dogs.**

The provisions of sections 18-121, 18-122, 18-125 and 18-127 shall not apply to any federal, state or local law enforcement agency or dog used by or belonging to such agency if such a dog bites a person, provided that the law enforcement agency has and follows established alternative procedures for such an event, and such procedures have been approved by the director of public health and welfare as providing an appropriate level of protection to the public. Any dog bites of a person by such a dog, other than those occurring in the course of any law enforcement agency training involving the dog, shall be reported as soon as possible by the law enforcement agency using or owning the dog to the director of public health and welfare or his designee.

(G.O. No. 4305, § 2, 5-25-1998)

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#### **FOOTNOTE(S):**

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<sup>(23)</sup> ~~Cross reference~~— Health and sanitation, ch. 58. [\(Back\)](#)

<sup>(23)</sup> ~~State Law reference~~— Protection against rabies, RSMo 322.010 et seq. [\(Back\)](#)